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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,433	07/16/2003	J. Richard Hanna	D-1116R1 CIP	1731
28995	7590	02/26/2007	EXAMINER	
RALPH E. JOCKE walker & jockey LPA 231 SOUTH BROADWAY MEDINA, OH 44256			GREIMEL, JOCELYN	
			ART UNIT	PAPER NUMBER
			3693	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/621,433	HANNA ET AL.	
	Examiner	Art Unit	
	Jocelyn Greimel	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 December 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-32 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The action is in response to Applicant's Remarks of 01 December 2006. Claims 1-32 are being examined. Claims 1 and 26 are independent claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. **Claims 1 and 26 are rejected under 35 U.S.C. 102(a) as being anticipated by Rosen (US Patent No. 6,122,625).** In reference to claims 1 and 26, Rosen discloses a method and apparatus comprising: receiving depositor input via remote communication through at least one input device in operative connection with a deposit accepting machine, wherein the input includes data associated with at least one deposit item (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+); depositing at least one deposit item into the deposit accepting machine (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. **Claims 2-25 and 27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen and further in view of Tedesco et al (US Patent No. 6,282,523, hereinafter Tedesco).**

7. In reference to claims 2-7 and 27-29, Rosen discloses the method further comprising: transmitting the input via a signal to the at least one input device (col. 5, line 12+); where the input device comprises a reader device, wherein the reader device is operative to read signals.

8. Rosen discloses the method comprising: transmitting the input to at least one input device, where the input device comprises a reader device to read a tag, and the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a

radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify transmitting the input to the input device via a tag with data, as in Rosen, to include transmitting the input via a radio frequency, as in Tedesco, because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

9. In reference to claims 8-13 and 30-32, Rosen discloses the method comprising: depositing using a tag having data into the deposit accepting machine; wherein the deposit item includes at least one tag; wherein the deposit item includes a deposit bag with a tag, a deposit ticket with a tag, at least one check with a tag or a plurality of checks with at least one tag (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+).

10. Rosen discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because

Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

11. In reference to claims 14-19, Rosen discloses the method where each check tag includes check data associated with at least one check indicia and includes receiving check data (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+); wherein check indicia is at least one of an account number, a check number, an amount, a payee and a payer wherein receiving check data associated with at least one of an account number, a check number, an amount, a payee and a payer (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+); wherein the check data is a value, wherein the value is a function of plural check indicia and includes receiving that value (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+).

12. Rosen discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because

Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

13. In reference to claims 20-22, Rosen discloses the method wherein the deposit accepting machine comprises: an automated merchant banking apparatus that includes depositing at least one deposit item into the automated merchant banking apparatus; an ATM, wherein the ATM is operative to communicate with a bank host computer and includes depositing at least one item into the ATM; wherein the ATM is operative to dispense currency deposited in and further dispensing deposited currency from the ATM (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+).

14. Rosen discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

15. In reference to claim 23, Rosen discloses the method comprising transmitting the input via wireless communication with at least one input device (col. 8, line 8+).

16. Rosen discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

17. In reference to claims 24 and 25, Rosen discloses the method further comprising preparing with the deposit accepting machine at least one receipt comprising a tag and the method including outputting from the deposit accepting machine at least one receipt comprising a tag (abstract; col. 4, line 43+; col. 5, line 12+; col. 6, line 46+; col. 7, line 21+).

18. Rosen discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag,

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the tag comprises deposit data that is communicated. Rosen does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Petite (US Patent No. 6,028,522).

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jocelyn Greimel whose telephone number is (571) 272-3734. The examiner can normally be reached Monday - Friday 8:30 AM - 4:30 PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached at (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jocelyn Greimel
Examiner, Art Unit 3693
February 20, 2007

 2/20/07
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